

REMARKS/ARGUMENTS

This Amendment follows a telephone interview with the Examiner on January 28, 2008 and a further telephone interview on January 29, 2008.

Claim 1 was found to be patentable over the prior art pursuant to the Board of Patent Appeals and Interferences' recent Decision.

The Examiner has, however, requested that additional text be inserted in the preamble of claim 1 to forestall a possible contention of the impropriety of claim 1 under 35 U.S.C. §101.

Although applicant does not agree to the contention that claim 1, prior to its amendment herein, fails to comply with 35 U.S.C. §101, the applicant's undersigned representative has agreed to cooperate with the Examiner's request for the additional text in the preamble.

The present Amendment is intended to avoid the incorrect, but possible, contention by a potential infringer that the claimed subject matter definition is limited to being implemented in a single program running on a single computer, which clearly is not warranted by the specification or the prosecution history.

Accordingly, entry of the instant amendment to the preamble of claim 1 is earnestly solicited.

During the interview on January 29, 2008, the Examiner suggested that the applicant pursue this request by means of the instant Rule 312 Amendment and has indicated, to applicant's undersigned representative's understanding, that he will be receptive to enter the same.

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE UNITED STATES
PATENT AND TRADEMARK OFFICE
EFS FILING SYSTEM
ON JANUARY 31, 2008

Respectfully submitted,



MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700